

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

EDWARD D. WELLS, #R8530 PLAINIFF

VERSUS CIVIL ACTION NO. 4:06cv87TSL-JCS

DALE CASKEY, Warden, et al. DEFENDANTS

FINAL JUDGMENT

This cause is before the court, sua sponte, for consideration of dismissal. Pursuant to the opinion and order issued this day, it is hereby, ORDERED AND ADJUDGED that this cause be dismissed as to the habeas claim without prejudice and as to the § 1983 claim with prejudice as frivolous pursuant to 28 U.S.C. section 1915(e)(2)(B)(i). Furthermore, this dismissal will count as a strike pursuant to 28 U.S.C. § 1915(g).

SO ORDERED AND ADJUDGED, this the 25th day of September, 2006.

/s/ Tom S. Lee

UNITED STATES DISTRICT JUDGE